

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11222-MEL

_____ PETRO HOLDINGS, INC. and) PETROLEUM HEAT AND) POWER CO., INC.,)) Plaintiffs,)) v.)) CRUM & FORSTER INDEMNITY) COMPANY, UNITED STATES) FIRE INSURANCE COMPANY,) and THE NORTH RIVER) INSURANCE COMPANY,)) _____ Defendants.)
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JOINT STATEMENT

Pursuant to Local Rule 16.1, the Parties hereby propose the following agenda for the Scheduling Conference and Joint Discovery Plan and Schedule for filing motions:

I. PROPOSED AGENDA FOR SCHEDULING CONFERENCE

The Parties' proposed joint discovery plan and schedule for dispositive motions.

The Defendants do not consent to trial by Magistrate Judge.

II. PROPOSED JOINT DISCOVERY PLAN AND SCHEDULE FOR DISPOSITIVE MOTIONS

- A. September 22, 2005: The parties shall make initial disclosures pursuant to Rule 26 on or before this date;
- B. December 30, 2005: All motions to amend the pleadings shall be filed on or before this date;
- C. May 22, 2006: All discovery, including depositions of non-expert witnesses shall be completed on or before this date;

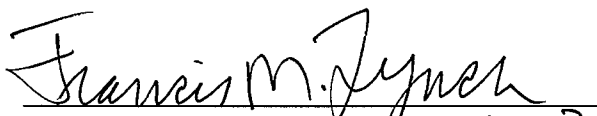
- D. July 22, 2006: The Plaintiffs shall provide expert witness disclosures, if any, in accordance with Fed. R. Civ. P. 26(a)(2) on or before this date;
- E. September 1, 2006: The Defendants shall provide expert witness disclosures, if any, in accordance with Fed. R. Civ. P. 26(a)(2) on or before this date;
- F. September 30, 2006: Expert witness depositions, if any, shall commence;
- G. October 31, 2006: Close of discovery;
- H. January 1, 2007: Dispositive motions to be filed, with oppositions to be filed by January 31, 2007; and
- I. March 1, 2007: Final Pretrial Conference and Trial Date to be set by the Court.

III. CERTIFICATION BY COUNSEL

All parties will consider ADR at an appropriate future time and will separately file certifications pursuant to Local Rule 16.1(D)(3) on or before the date of the Scheduling Conference.


PLAINTIFFS PETRO HOLDINGS, INC.,
and PETROLEUM HEAT AND POWER
CO., INC.

By their attorneys,


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DEFENDANTS CRUM & FORSTER
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STATES FIRE INSURANCE COMPANY
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Dated: August 15, 2005